



BOSTON REDEVELOPMENT AUTHORITY City Hall / Room 900, 1 City Hall Square / Boston, Massachusetts 02201 / Telephone (617) 722-4300

July 18, 1974

BOARD OF APPEAL REFERRALS

1. Z-3109, Rising Sun Christianity, 25 Exeter Street, Boston
2. Z-3111, Caramu Club, Inc., 986-998 Blue Hill Avenue, Dorchester
3. Z-3112, 259 Newbury Trust, 259 Newbury Street, Boston
4. Z-3114, Emmanuel T. & Ferconia Manoloules, 137 Chiswick Road, Brighton
5. Z-3116, Marcus Johnson, 98 Talbot Avenue, Dorchester
6. Z-3117, Lena Park Development Center, 150-160 American Legion Highway, Dorchester
7. Z-3118, Beth Israel Hospital, 330 Brookline Avenue, Boston
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14. Z-3144, Massachusetts Port Authority, 55 Water Street, Charlestown
15. Z-3145, Mansfield Realty Co., Inc., 671-673 Boylston Street, Boston

MEMORANDUM

July 18, 1974

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing Date: 7/16/74

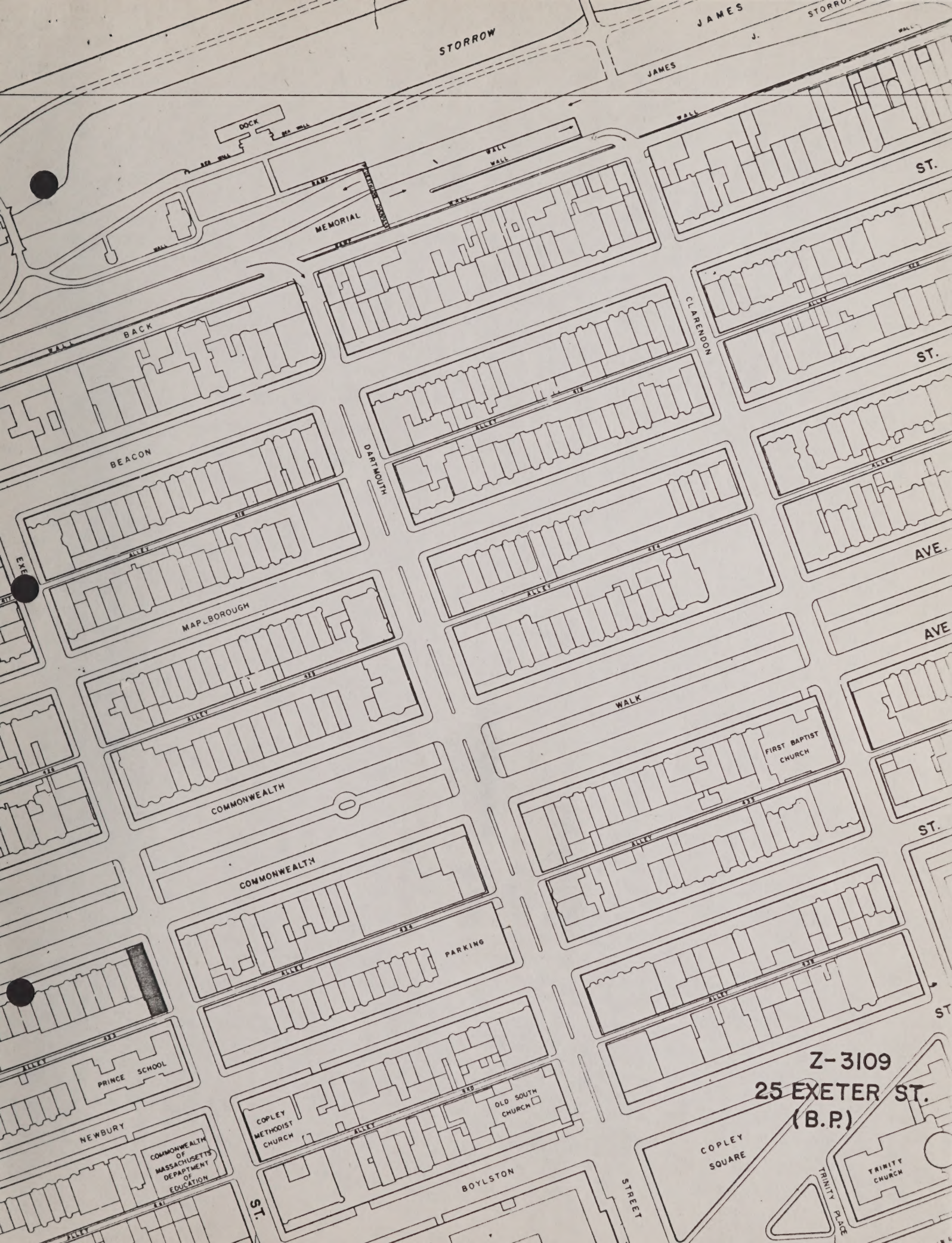
Petition No. Z-3109
Rising Sun Christianity
Ann Wigmore, D.D., Director
25 Exeter Street, Boston

Petitioner seeks two conditional uses and a change in a non-conforming use for a change of occupancy from two apartments and offices to church, school and ten lodgers in an apartment (H-5-70) district. The proposal violates the code as follows:

- Section 8-7. A lodging house is conditional in an H-5-70 district.
- Section 8-7. Sunday school or religion school is conditional in an H-5-70 district.
- Section 9-2. A change in a non-conforming use requires Board of Appeal approval.

The property, located at the intersection of Commonwealth Avenue, contains a five story structure. Facility, already existing, is involved in youth rehabilitation. Staff recommends that the two apartment units be retained and taxes paid to the city on these units. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-3109, brought by Rising Sun Christianity, 25 Exeter Street, Boston, for two conditional uses and a change in a non-conforming use for a change of occupancy from two apartments and offices to church, school and ten lodgers in an apartment (H-5-70) district, the Boston Redevelopment Authority recommends approval provided that the two apartment units are retained and taxes paid to the city on these units.



Z-3109
25 EXETER ST.
(B.P.)

COPLEY
SQUARE

TRINITY
CHURCH

TRINITY
PLACE

STREET

BOYLSTON

ST.

COPLEY
METHODIST
CHURCH

OLD SOUTH
CHURCH

PARKING

COMMONWEALTH

COMMONWEALTH

MAPLBOROUGH

BEACON

MEMORIAL

DOCK

FIRST BAPTIST
CHURCH

ST.

ST.

AVE.

AVE.

ST.

ST.

ST.

STORROW

JAMES

JAMES

WALL

WALL

STORROW

Board of Appeal Referrals 7/18/74

Hearing Date: 7/16/74

Petition No. Z-3111
Caramu Club, Inc.
John E. Seagraves
986-998 Blue Hill Avenue
Dorchester

Petitioner seeks a forbidden use and a variance for a change of occupancy from stores and restaurant without entertainment to stores and restaurant with entertainment in a local business (L-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A restaurant with entertainment is forbidden in a local business (L-1) district.		
Section 23-2. Off street parking is insufficient. 32 spaces		0

The property, located at the intersection of Floyd Street, contains a one-story structure. Petitioner operates a catering facility and accessory function room. Essentially, proposal would allow those who utilize the function room to provide entertainment. Petitioner should lease or acquire space to provide off street parking. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-3111, brought by Caramu Club, Inc., for a forbidden use and a variance for a change of occupancy from stores and restaurant without entertainment to stores and restaurant with entertainment in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided that the petitioner lease or acquire space to provide off street parking.

Z-3111
86-998 BLUE HILL AVE.
(DOR.)



Board of Appeal Referrals 7/18/74

Hearing Date: 7/16/74

Petition No. Z-3112
259 Newbury Trust
Anthony Wine, Trustee
259 Newbury Street, Boston

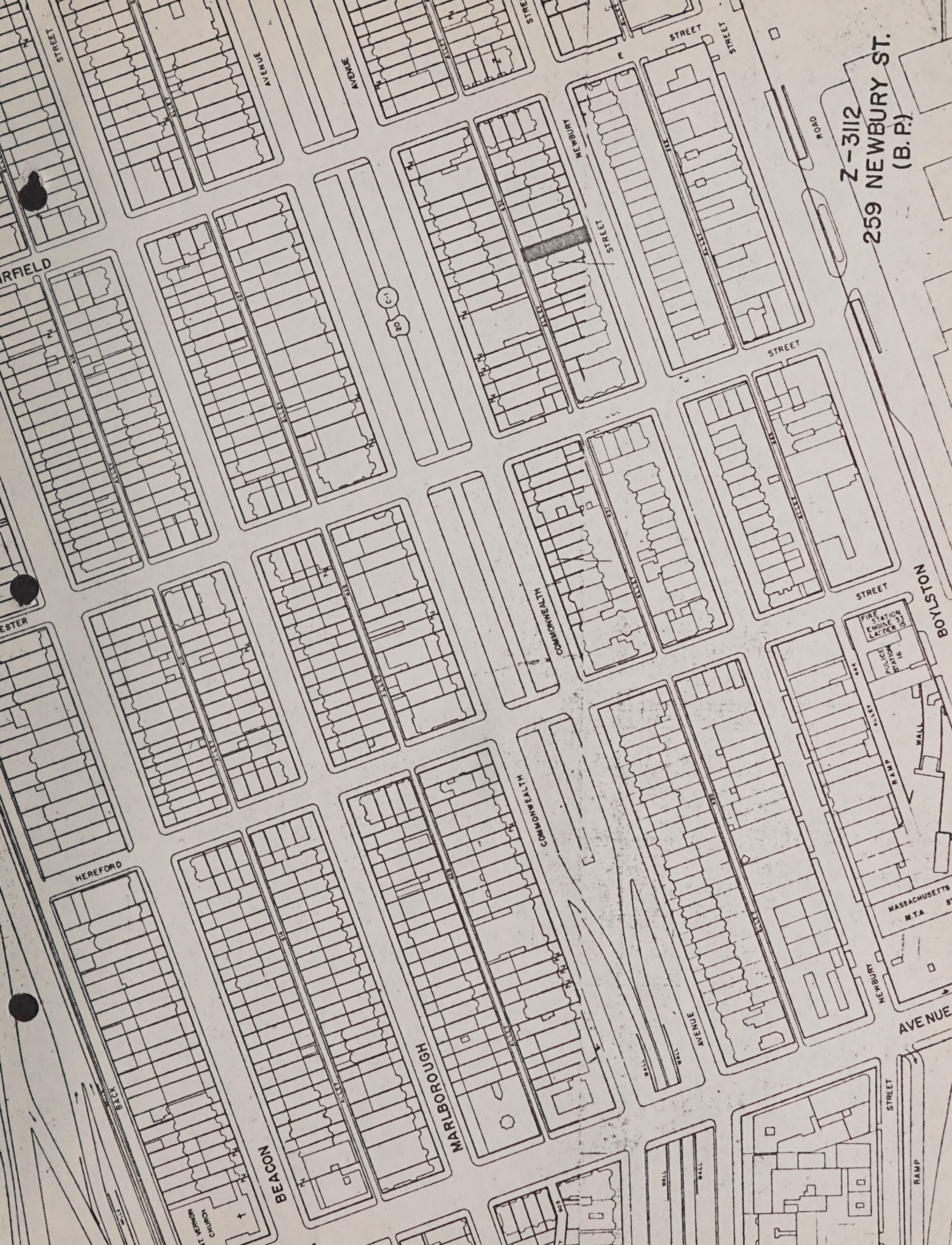
Petitioner seeks a conditional use for a change of occupancy from seven apartments and office to seven apartments, office and restaurant in a general business (B-4-70) district. The proposal violates the code as follows:

Section 8-7. Sale over the counter of on-premises prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, such food or drink is ready for take out is conditional in a B-4-70 district.

The property, located between Fairfield and Gloucester Streets, contains four-story structure. Proposed facility would occupy the basement and would have seating accommodations for 48 people. The proposed fast-food operation would have a negative impact on the area and continued proliferation of such use is contrary to the objectives of the Back Bay community. Recommend denial.

VOTED: That in connection with Petition No. Z-3112, brought by 259 Newbury Trust, Anthony Wine, Trustee, for a conditional use for a change of occupancy from seven apartments and office to seven apartments, office and restaurant in a general business (B-4-70) district, the Boston Redevelopment Authority recommends denial. The proposed fast food operation would have a negative impact on the area and continued proliferation of such use is contrary to the objectives of the Back Bay community.

259 NEWBURY ST.



Board of Appeal Referrals 7/18/74

Hearing Date: 7/23/74

Petition No. Z-3114

Emmanuel T. & Ferconia Manoloules
137 Chiswick Road, Brighton

Petitioner seeks a forbidden use and three variances for a change of occupancy from seven to nine apartments in residential (R-.5) and apartment (H-1) districts. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an H-1 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1000 sf/du	244 sf/du
Section 15-1. Floor area ratio is excessive.	1	2
Section 17-1. Open space is insufficient.	400 sf/du	170 sf/du

The property, located at the intersection of Lothian Road, contains a three story masonry structure. The proposed density is unwarranted and would overcrowd the structure. The proposal does not comply with conditions required for a variance. Recommend denial.

VOTED: That in connection with Petition No. Z-3114, brought by Emmanuel T. & Ferconia Manoloules, 137 Chiswick Road, Brighton, for a forbidden use and three variances for a change of occupancy from seven to nine apartments in residential (R-.5) and apartment (H-1) districts, the Boston Redevelopment Authority recommends denial. The proposal is unwarranted, overcrowding and does not comply with conditions required for a variance.

Z-3114
137 CHISWICK RD.
(BRI.)



Board of Appeal Referrals 7/18/74

Hearing Date: 7/23/74

Petition No. Z-3116
Marcus Johnson
98 Talbot Avenue
Dorchester

Petitioner seeks a conditional use and a forbidden use for a change of occupancy from gas service station to gas service station and sale of used cars in a local business (L-1) district. The proposal violates the code as follows:

Section 8-6. A change in a conditional use requires Board of Appeal approval.

Section 8-7. Sale of used cars is forbidden in an L-1 district.

The property, located at the intersection of Wales Street, contains a gas service station. Facility has existed at the site for many years. Staff recommends that no parking or storage of vehicles on streets or sidewalks be allowed and that signs conform with regulations. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3116, brought by Marcus Johnson, 98 Talbot Avenue, Dorchester, for a conditional use and a forbidden use for a change of occupancy from gas service station to gas service station and sale of used cars in a local business (L-1) district, the Boston Redevelopment Authority recommends approval with the following conditions: that no parking or storage of vehicles on streets or sidewalks be allowed and that signs conform with regulations.



Z-3116
98 TALBOT AVE.
(DOR.)

FRANKLIN FIELD

ROBT. TRENT
ELEMENTARY SCHOOL

TENNIS
COURTS

TENNIS
COURTS

CHILDREN'S
PLAYGROUND

POOL

AMES

FRANKLIN FIELD DEVELOPMENT
BOSTON HOUSING
BOSTON

STRATTON

WESTVIEW

HILL

BLUE

BROWNING STREET

KIRKIN AVENUE

STANDS

STREET

TON STREET

STREET

AVE.

WALL

WALL

WALL

WALL

Board of Appeal Referrals 7/18/74

Hearing Date: 7/23/74

Petition No. Z-3117
Lena Park Development Center
Patrick F. Jones, Jr., President
150-160 American Legion Highway
Dorchester

Petitioner seeks a conditional use for a change of occupancy from community center to community center and day care center in an apartment (H-1) district. The proposal violates the code as follows:

Section 8-7. A day care center accommodating more than 60 children is conditional in an H-1 district.

The property, located at the intersection of Austin Street, contains a three-story masonry structure. Accommodations would be provided for 150 children. The use would be beneficial; adequate open space is available. Recommend approval.

VOTED: That in connection with Petition No. Z-3117, brought by Lena Park Development Center, 150-160 American Legion Highway, Dorchester, for a conditional use for a change of occupancy from community center to community center and day care center in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. The use would be beneficial; adequate open space is available.



Z-3117

150-160 AMERICAN

LEGION HWY.

(DOR.)

Board of Appeal Referrals 7/18/74

Hearing Date: 7/23/74

Petition No. Z-3118
Beth Israel Hospital
330 Brookline Avenue
Boston

Petitioner seeks a variance to erect an above-ground steel liquid oxygen storage tank in an apartment (H-3) district. The proposal violates the code as follows:

Section 20-1. No structure shall be erected within the required front yard.

Existing 985 gallon liquid oxygen storage tank, located at rear property line near Blackfan Street, would be replaced by new 6,050 gallon tank. Staff recommends that suitable fencing be provided and proposal comply with city and state safety regulations. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3118, brought by Beth Israel Hospital, 330 Brookline Avenue, Boston, for a variance to erect an above-ground steel storage tank in an apartment (H-3) district, the Boston Re-development Authority recommends approval with the following provisos: that suitable fencing be provided; that the proposal comply with city and state safety regulations.

Z-3118

330 BROOKLINE AVE
(B.P.)



Hearing Date: 7/23/74

Petition No. Z-3119
Exeter Street Theatre Conservation
Trust
Neil St. John Raymond, Trustee
26 Exeter Street and 181 Newbury Street
Boston

Petitioner seeks two conditional uses and a variance for a change of occupancy from theatre, meeting house and caretaker's room to theatre, caretaker's room, restaurant, bar and offices in a general business (B-4-70) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-6.	A change in a pre-existing conditional use requires Board of Appeal approval.	
Section 8-7.	A restaurant and bar providing entertainment or dancing or both are conditional in a B-4-70 district.	
Section 19-6.	Side yard is insufficient.	20 ft. 0

The property, located at the intersection of Newbury Street, contains a three-story structure (Exeter Theatre). Petitioner proposes to erect a one-story glass enclosed addition on the Newbury Street side for use as a restaurant-bar. Following conditions are recommended: that restaurant plans receive approval of Health & Hospitals Department; that a validated parking system be provided; that plans be submitted for design review. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3119, brought by Exeter Street Theatre Conservation Trust, 26 Exeter Street & 181 Newbury Street, Boston, for two conditional uses and a variance for a change of occupancy from theatre, meeting house and caretaker's room to theatre, caretaker's room, restaurant, bar and offices in a general business (B-4-70) district, the Boston Redevelopment Authority recommends approval with the following conditions: that restaurant plans receive approval of the Health and Hospitals Department; that a validated parking system be provided; that plans be submitted to the Authority for design review.

26 EXETER ST.
181 NEWBURY ST.
(B.P.)



Board of Appeal Referrals 7/18/74

Hearing Date: 7/23/74

Petition No. Z-3121
Boston Conservatory of Music
8 Fenway
Boston

Petitioner seeks a conditional use and three variances to erect three additions to a music school building in an apartment (H-3) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-6. A change in a conditional use requires Board of Appeal approval.		
Section 15-1. Floor area ratio is excessive.	3.0	3.3
Section 20-1. Rear yard is insufficient.	20 ft.	0
Section 23-3. Off street parking is insufficient.	13 spaces	10 spaces

The property, located near the intersection of Boylston Street, contains a six story structure. It is proposed to erect the additions in an existing courtyard and on the roofs of existing wings. The new space will supplement areas presently utilized as libraries, offices, studios, classrooms, halls and storage space.

Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3121, brought by Boston Conservatory of Music, 8 Fenway, Boston, for a conditional use permit and three variances to erect three additions to a music school building in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. This review will include change of established roof line and its impact on the historical facade of the Fenway.

Z-3121
8 FENWAY
(B.P.)

COMMONWEALTH

THE SOMERSET HOTEL

GREATER
BOSTON
ACADEMY

NEWBURY

STREET

RAMP

BOSTON

STREET

ALBANY

LANSDOWNE

GASTON

SQUARE

CHARLES GATE

EAST

BOYLSTON

PARKING

HAVILAND

EDGERLY

STREET

STONEHOLM

NORWAY

WHIPPLE ST

BURBANK

MENWAY

WESTLAND

WESTLAND
ENTRANCE

BAY

BACK

FIRE
ALARM
HQ

TRADE HIGH
SCHOOL
FOR
GIRLS

BOSTON
CONSERVATORY
OF MUSIC

BOSTON
CONSERVATORY
OF MUSIC



Board of Appeal Referrals 7/18/74

Hearing Date: 7/30/74

Petition No. Z-3124
Street and Co., Inc.
Maurice Frye, Jr.
37-39 Clarendon Street
Boston

Petitioner seeks a change in a non-conforming use for a change of occupancy from six apartments and two stores to six apartments and ceramic studio in an apartment (H-3) district. The proposal violates the code as follows:

Section 9-2. A change in a non-conforming use requires a Board of Appeal hearing.

The property, located at the intersection of Gray Street in the South End Urban Renewal Area, contains a four story masonry structure. The vacant former florist shop would be rehabilitated and restored to an occupancy beneficial to the community. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3124, brought by Street and Co., Inc., 37-39 Clarendon Street in the South End Urban Renewal Area, for a change in a non-conforming use for a change of occupancy from six apartments and two stores to six apartments and ceramic studio in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. The vacant former flower shop would be rehabilitated and restored to an occupancy beneficial to the community.

Z-3124
37-39 CLARDENDON ST
(B.P.)



Board of Appeal Referrals 7/18/74

Hearing Date: 7/30/74

Petition No. Z-3125
Philip Quinn & John H. Brennan
17 Henshaw Street, Brighton

Petitioner seeks a forbidden use and three variances for a change of occupancy from a one-family dwelling to professional offices in a residential (R-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. Professional offices are forbidden in an R-.5 district.		
Section 14-2. Lot area for additional unit is insufficient.	3000 sf/du	875 sf/du
Section 18-1. Front yard is insufficient.	25 ft.	20 ft.
Section 23-4. Off street parking is insufficient.	5 spaces	2 spaces

The property, located near the intersection of Menlo Street, contains a 2½ story frame dwelling. There is no justification for elimination of a residential unit for the proposed use. Further proliferation of medical offices in this neighborhood will severely weaken its residential character. Adequate space for this use presently exists in nearby Brighton Center. Recommend denial.

VOTED: That in connection with Petition No. Z-3125, brought by Philip Quinn & John H. Brennan, 17 Henshaw Street, Brighton, for a forbidden use and three variances for a change of occupancy from a one-family dwelling to professional offices in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. There is no justification for elimination of a residential unit for the proposed use. Further proliferation of medical offices in this neighborhood will severely weaken its residential character. Adequate space for this use presently exists in nearby Brighton Center.



27-3123
17 HENSHAW ST.
(BRI.)

Board of Appeal Referrals 7/18/74

Hearing Date: 7/30/74

Petition No. Z-3130
Roman Catholic Archdiocese of Boston
25 Leonard Street, Dorchester

Petitioner seeks a conditional use to legalize an existing lodging house occupancy in a residential (R-.8) district. The proposal violates the code as follows:

Section 8-7. A lodging house is conditional in an R-.8 district.

The property, located near the intersection of Adams Street, contains a three-story masonry structure (former St. Ambrose Convent). Facility, Andrew Square Detoxification Center, has been operative for several months and accommodates 20 lodgers. It is affiliated with the New England Medical Center Hospital, Bay Cove Community Mental Health Center, Dorchester House, Little House and others. Fields Corner Civic Community supports the facility. Recommend approval.

VOTED: That in connection with Petition No. Z-3130, brought by Roman Catholic Archdiocese of Boston, 25 Leonard Street, Dorchester, for a conditional use to legalize an existing lodging house occupancy in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Site is appropriate. The use is beneficial and has the support of the Fields Corner Civic Community.

Z-3130

25 LEONARD ST.
(DOR.)



Board of Appeal Referrals 7/18/74

Hearing Date: 7/30/74

Petitions Nos. Z-3134-3135
 Clarence Taylor
 44-60 Newton Street and
 55-69 Gerrish Street
 Brighton

Petitioner seeks two forbidden uses and twelve variances to erect a 2½ story nine unit apartment - garage structure and a 2½ story eight unit apartment structure in single family (S-.5) and residential (R-.5) districts. The proposal violates the code as follows:

44-60 Newton Street (R-.5)Req'dProposed

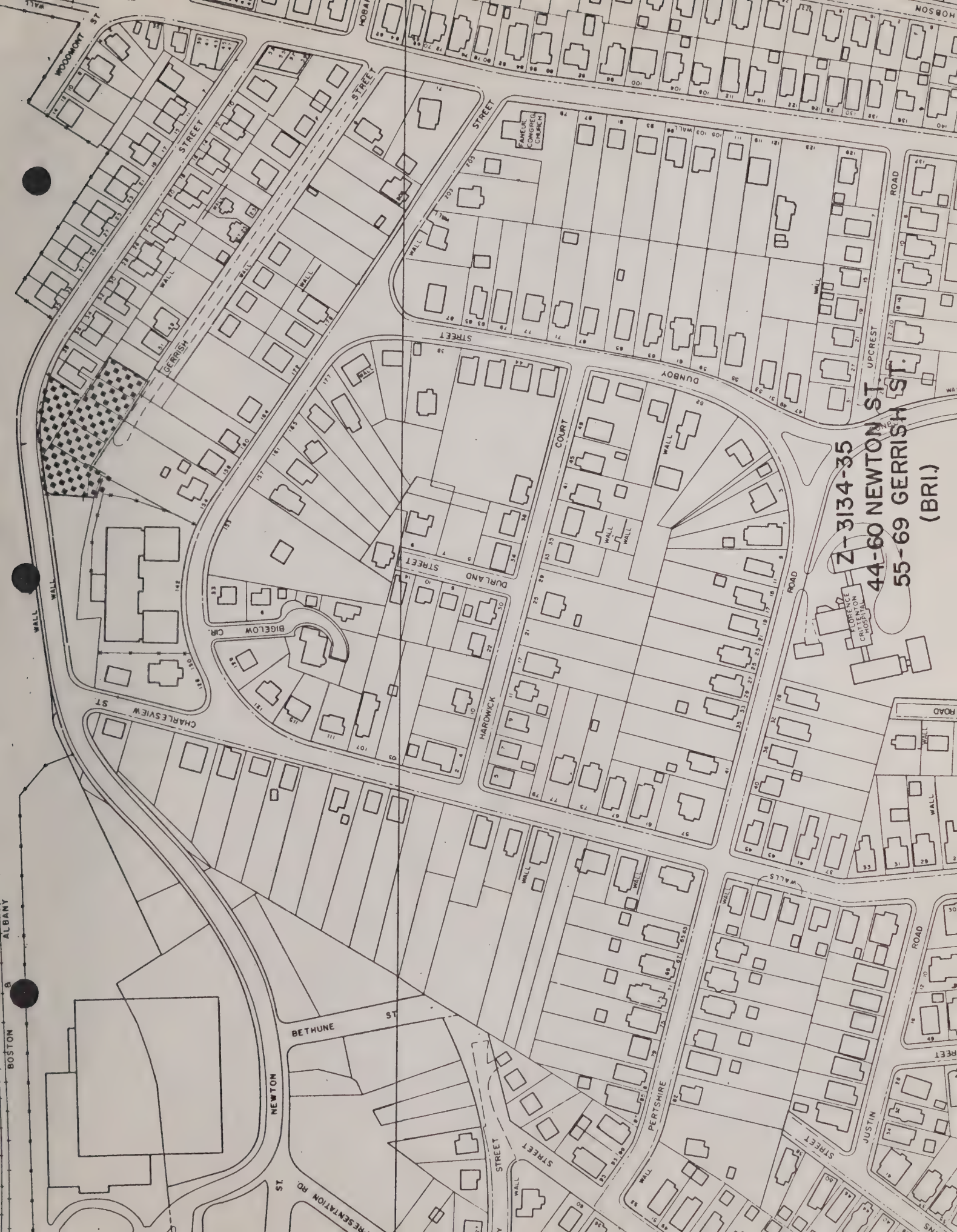
Section 8-7.	A multi family dwelling is forbidden in an R-.5 district.		
Section 14-1.	Lot area is insufficient.	2 acres	23,830 sf
Section 14-3.	Lot width is insufficient.	200 ft.	190 ft.
Section 14-4.	Street frontage is insufficient.	200 ft.	190 ft.
Section 15-1.	Floor area ratio is excessive.	.5	
Section 16-1.	Height of building is excessive.	2 stories	2½ stories
Section 17-1.	Open space is insufficient.		
Section 20-1.	Rear yard is insufficient.	40 ft.	21 ft.

55-69 Gerrish Street (S-.5)

Section 8-7.	A multi-family dwelling is forbidden in an S-.5 district.		
Section 10-1.	Parking is not allowed in front yard.		
Section 14-2.	Lot area for additional dwelling unit is insufficient.	4000 sf/du	0
Section 14-5.	Distance between buildings is insufficient.	80 ft.	21 ft.
Section 15-1.	Floor area ratio is excessive.	.5	
Section 20-1.	Rear yard is insufficient.	40 ft.	21 ft.

The property, located between Newton and Gerrish Streets, contains 23,830 square feet of vacant land. The slope and location of the land make it unsuitable for the proposed development. Multi family units are contrary to the one and two family dwellings in this low density neighborhood. Recommend denial.

VOTED: That in connection with Petitions Nos. Z-3134-3135, brought by Clarence Taylor, 44-60 Newton Street & 55-69 Gerrish Street, Brighton, for two forbidden uses and twelve variances to erect a 2½ story nine unit apartment - garage structure and a 2½ story eight unit apartment structure in single family (S-.5) and residential (R-.5) districts, the Boston Redevelopment Authority recommends denial. The slope and location of the land make it unsuitable for the proposed development. Multi family units would be contrary to the one and two family dwellings in this low density neighborhood.



Z-3134-35
44-60 NEWTON ST
55-69 GERRISH ST
(BRI)

FOREST
HOSPITAL

PANET
CONGREG
CHURCH

CHARLESVIEW
ST

BIGLOW
CR

DURLAND
STREET

COURT

DUNBOY

ROAD

UPCREST

ROAD

STREET

JUSTIN

PERTSHIRE

STREET

STREET

BETHUNE

NEWTON

PRESENTATION RD

BOSTON
ALBANY

Board of Appeal Referrals 7/18/74

Hearing Date: 9/10/74

Petition No. Z-3144
Massachusetts Port Authority
Raytheon Historical Foundation
Corporation (Lessee)
55 Water Street
Charlestown

Petitioner seeks a conditional use and two variances to erect a two-story museum in a waterfront (W-2) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A museum is conditional in a W-2 district.		
Section 20-1. Rear yard is insufficient.	12 ft.	1 ft.
Section 21-1. Setback of parapet is insufficient.	14 ft.	8 ft.

The property, located at Hoosal Pier #1, contains 44,167 square feet of land. Site is appropriate, proximate to the U.S.S. Constitution and a proposed waterfront park. Facility will feature an exhibition depicting the Battle of Bunker Hill. Mass. Port Authority will provide space on the lot for bus parking.
Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3144, brought by Massachusetts Port Authority & Raytheon Historical Foundation Corporation, 55 Water Street, Charlestown, for a conditional use and two variances to erect a two-story museum in a waterfront (W-2) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

2-3144
55 WATER ST.
(Chsn.)



Board of Appeal Referrals 7/18/74

Hearing Date: 7/30/74

Petition No. Z-3145
Mansfield Realty Co., Inc.
671-673 Boylston Street
Boston

Petitioner seeks a conditional use for a change of occupancy from offices and stores to offices and restaurant in a general business (B-10-155) district. The proposal violates the code as follows:

Section 8-7. A restaurant is conditional in a B-10-155 district.

The property, located near the intersection of Exeter Street, contains a five-story structure. The facility is consistent with the adjacent commercial uses. The Back Bay community supports the proposal. Recommend approval.

VOTED: That in connection with Petition No. Z-3145, brought by Mansfield Realty Co., Inc., 671-673 Boylston Street, Boston, for a conditional use for a change of occupancy from offices and stores to offices and restaurant in a general business (B-10-155) district, the Boston Redevelopment Authority recommends approval. The facility is consistent with the adjacent commercial uses and the Back Bay community supports the proposal.

Z-3145

671-673 BOYLSTON ST.

(B.P.)

